

AO 91 (Rev. 08/09) Criminal Complaint

United States District Court  
Southern District of Texas  
FILED

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

JAN 31 2020

David J. Bradley, Clerk

United States of America  
v.  
Abraham GUTIERREZ-Plata  
YOB: 1966, COC: Mexico

Case No.

M-20-0274-M

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 31, 2020 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:

## Code Section

## Offense Description

21 USC 952

Knowingly and intentionally attempt to import into the United States from the United Mexican States approximately 53.46 kilograms of Methamphetamine, Schedule II controlled substance, and did knowingly and intentionally possess with the intent to distribute approximately 53.46 kilograms of Methamphetamine, a Schedule II controlled substance.

21 USC 841

This criminal complaint is based on these facts:

See Attachment A

✓ Continued on the attached sheet.

/s/Evan Mason

Complainant's signature

Evan Mason, HSI Special Agent

Printed name and title

Submitted by reliable means, sworn to and attested  
telephonically per Fed. R. Cr. P. 4.1, and probable cause  
found on:

Date: 1/31/2020 12:53 p.m.


Judge's signature

City and state: McAllen, Texas

Peter E. Ormsby, U.S. Magistrate Judge

Printed name and title

## Attachment A

On January 31, 2020, at approximately 0945 hours, Abraham GUTIERREZ-Plata (hereinafter GUTTIERREZ) presented himself for inspection at the Hidalgo, Texas Port of Entry (hereinafter POE) driving a black 2005 Ford Lobo bearing Mexican license plate WH8585A (hereinafter Target Vehicle).

Upon encountering GUTTIERREZ, a United States Customs and Border Protection Officer (hereinafter CBPO) received a negative customs declaration. The CBPO then referred GUTTIERREZ to secondary for further inspection. During secondary inspection, a CBPO certified K9 handler ran a K9 on the Target Vehicle. The K9 alerted to the gas cap of the vehicle. As a result, the Target Vehicle was sent to the Z-Portal for a Non-Intrusive Inspection where a CBPO certified Z-Portal Operator scanned the Target Vehicle. The CBPO observed anomalies in the gas tank area. Further inspection of the gas tank resulted in the discovery of a non-factory compartment containing a substance, approximately 53.46 kilograms in weight, that field tested positive for methamphetamine.

During a post Miranda interview, GUTIERREZ stated that he attempted to cross the Target Vehicle into the United States from Mexico, knowing that the vehicle contained an unknown amount of methamphetamine. GUTTIERREZ further stated that he was to be monetarily compensated following successfully smuggling the methamphetamine into the United States from Mexico.